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TRANSMITTAL FORM  (to be used for all correspondence efter initial filling)  Total Number of Pages in This Submission  ENCLOSURES (Check all that apply)  Fee Transmittal Form  Fee Transmittal Form  After Allowance communication to Technology Center (TC)  After Allowance communication to Technology Center (TC)  After Allowance communication to Technology Center (TC)  Petition of Convert to a Provisional Application  After Allowance Communication  Total Number of Pages in This Submission  ENCLOSURES (Check all that apply)  Fee Transmittal Form  After Allowance communication to Technology Center (TC)  Appeal Commission to Technolog	CACA SOLITION OF S			nt and Tra	ademark Office	; U.S. D	PTO/SB/21 (02-04) gh 07/31/2006. OMB 0651-0031 EPARTMENT OF COMMERCE
FORM (to be used for all correspondence after initial filing)  Total Number of Pages in This Submission  ENCLOSURES (Check all that apply)  ENCLOSURES (Check all that apply)  Fee Transmittal Form Fee Attached Licensing-related Papers Petition to Convert to a Provisional Application Total Attorney Decket Number After Allowance communication to Total Anter Final After Final Petition to Convert to a Provisional Application Affidavits/declaration(s) Extension of Time Request Express Abandonment Request Conversional Application Response to Missing Parts/Incomplete Applicatio		no person				it displa	avs a valid OMB control number.
Art Unit 1934  Examiner Name Lu, F.  Total Number of Pages in This Submission Attorney Docket Number GP095-06.DV4  ENCLOSURES (Check all that apply)  ENCLOSURES (Check all that apply)  Fee Transmittal Form Drawing(s) After Allowance communication to Technology Center (TC)  Appeal Communication to Board of Appeals and Interferences Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  Anter Final Petition to Convert to a Provisional Application Power of Attorney, Revocation Change of Correspondence Address Terminal Disclaimer Express Abandonment Request Terminal Disclaimer Conflicted Copy of Priority Document(s)  Response to Missing Parts Under 37 CFR 1.52 or 1.53  SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT  Firm Chagés B Cappellari Registration No. 40,937  CERTIFICATE OF TRANSMISSION/MAILING  I horeby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with static date small in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.	TRANSMITTAL		Filing Date	October	r 11, 2001		
Examiner Name  Lu, F.  Attorney Docket Number  GP096-06.DV4   ENCLOSURES (Check all that apply)  ENCLOSURES (Check all that apply)  Fee Transmittal Form  Fee Attached  After Allowance communication to Technology Center (TC)  Appeal Communication to Board of Appeals and Interferences Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  After Final  After Final  After Final  Petition to Convert to a Provisional Application and Proposition Attorney, Revocation Change of Correspondence Address  Extension of Time Request  Express Abandonment Request  Information Disclosure Statement  Certified Copy of Priority  Document(s)  Response to Missing Parts  Incomplete Application  Response to Missing Parts  Individual name  Registration No. 40,937  Signature  Date  August 19. 294  CERTIFICATE OF TRANSMISSION/MAILING  I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to. Commissioner for Patients, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.	FORM		First Named Inventor	Kelly G	. Ammann		
Examiner Name  Lu, F.  Total Number of Pages in This Submission  ENCLOSURES (Check all that apply)  ENCLOSURES (Check all that apply)  Fee Transmittal Form  Fee Attached  Licensing-related Papers  Petition  Petition to Convert to a Provisional Application  After Final  After Final  Power of Atterney, Revocation  Change of Correspondence Address  Terminal Disclaimer  Extension of Time Request  Express Abandonment Request  Information Disclosure Statement  Certified Copy of Priority  Document(s)  Response to Missing Parts  Incomplete Application  Response to Missing Parts  Incomplete Application  Response to Missing Parts  Individual name  Cindividual name  Cindividual name  Certification  Certification  Certification  Certification  Chapés B Cappellari  Or Individual name  Certification  Certification  Certification  Chapés B Cappellari  Complete Application  Response to Missing Parts  Individual name  Cindividual name  Certification  Certification  Certification  Certification  Certification  Chapés B Cappellari  Certification  Certification  Certification  Certification  Chapés B Cappellari  Certification  Certification  Certification  Certification  Chapés B Cappellari  Certification  Certification  Certification  Certification  Certification  Chapés B Cappellari  Complete Application  Certification  Certification  Certification  Certification  Chapés B Cappellari  Certification  Certification  Certification  Certification  Certification  Chapés B Cappellari  Certification  Certification  Certification  Certification  Certification  Chapés B Cappellari  Certification  Certification  Certification  Certification  Certification  Chapes B Cappellari  Certification  Certification  Certification  Certification  Certification  Certification  Certification  Certification  Composition  Certification  Composition  Certification  Certification  Certification  Certification  Composition  Certification  Certification  Composition  Certification  Certification  Certification  Composition  Certification  Composition  Compo	(to be used for all correspondence after initial	filing)	Art Unit	1634			
Signature   Certificate of Pages in This Submission   Alterney Docket Number   GP095-06.DV4	,		Examiner Name	Lu. F.			
ENCLOSURES (Check all that apply)    Fee Transmittal Form		<u> </u>	Attorney Docket Number	+	06 DV4		1 Market
Fee Transmittal Form    Fee Attached	Total Number of Pages in This Submission			GF030	-00.DV4		
Fee Attached Fee Attached Amendment/Reply After Final After Final Aftidavits/declaration(s) Extension of Time Request Express Abandonment Request Information Disclosure Statement Certified Copy of Priority Document(s) Response to Missing Parts Incomplete Application Response to Missing Parts Incomplete Application Response to Missing Parts Individual name Chapes B Cappellari Registration to Governor to a Provisional Application Power of Attorney, Revocation Change of Correspondence Address Identify below): PTO/SB/08A in duplicate (2 pgs. total) Copies of 17 cited references Return Receipt Postcard  Firm Chapes B Cappellari Registration to Governor Registration to Convert to a Provisional Application Power of Attorney, Revocation Chapes of Correspondence Address Identify below): PTO/SB/08A in duplicate (2 pgs. total) Copies of 17 cited references Return Receipt Postcard  Firm Chapes B Cappellari Registration to 40,937  CERTIFICATE OF TRANSMISSION/MAILING  Inereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.  Typed or printed name Chapes B. Cappellari, Reg. No. 40,937		ENC	LOSURES (Check all tha	t apply)	)		
Firm or Individual name  Signature  Date  August 19, 2994  CERTIFICATE OF TRANSMISSION/MAILING  I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.  Typed or printed name  Charles B. Cappellari, Reg. No. 40,937	Fee Attached  Amendment/Reply  After Final  Affidavits/declaration(s)  Extension of Time Request  Express Abandonment Request  Information Disclosure Statement  Certified Copy of Priority Document(s)  Response to Missing Parts/ Incomplete Application  Response to Missing Parts  under 37 CFR 1.52 or 1.53	Remark	Licensing-related Papers  Petition  Petition to Convert to a  Provisional Application  Power of Attorney, Revocation  Change of Correspondence Add  Terminal Disclaimer  Request for Refund  CD, Number of CD(s)		to To Appp of A App (App (App Prop Stat Cothe Iden PTO/SB/06 Copies of Return Rec	echnolo eal Cor ppeals eal Cor peal Not prietary us Lette er Enclo tify bel 8A in d 17 cited ceipt P	ogy Center (TC) mmunication to Board and Interferences munication to TC ice, Brief, Reply Brief) Information er osure(s) (please ow): uplicate (2 pgs. total)
Or Individual name  Signature  Date  August 19, 2004  CERTIFICATE OF TRANSMISSION/MAILING  I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.  Typed or printed name  Charles B. Cappellari, Reg. No. 40,937	SIGNA	TURE C	F APPLICANT, ATTORN	IEY, O	R AGENT		
CERTIFICATE OF TRANSMISSION/MAILING  I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.  Typed or printed name  Charles B. Cappellari, Reg. No. 40,937	or Individual name Registration No. 40,937						
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.  Typed or printed name  Charles B. Cappellari, Reg. No. 40,937	<i>y</i>	CDTICIO	ATE OF TRANSMISSION	N / N A 44	LINC		
Charles B. Cappellari, Reg. No. 40,937	I hereby certify that this correspondence is to sufficient postage as first class mail in an error the date shown below.	eing facsi	mile transmitted to the USPTO of	r deposi	ited with the l	United S	States Postal Service with andria, VA 22313-1450 on
Signature Date August 19, 2004	Charles B. Capp	ellari, Reg	. No. 40,937				
	Signature Le 7	1				Date	August 19, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Viere P	atent Application of:	)	Group Art Unit: 1634
	ANN et al.	)	Examiner: Lu, F.
Serial	No. 09/973,862	)	Atty. Docket No. GP095-06.DV4
Filed:	October 11, 2001	)	Confirmation No. 8811
For:	AUTOMATED SYSTEM FOR	)	
	ISOLATING AND AMPLIFYING	)	
	A TARGET NUCLEIC ACID	)	

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b) & (c)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicants bring to the Examiner's attention the references listed on the enclosed form PTO/SB/08 (two copies) for consideration in connection with the examination of the above-identified application. A copy of each cited reference is enclosed herewith.

This Information Disclosure Statement is being submitted under 37 C.F.R. § 1.97(b) before the mailing date of a first Office action on the merits. If Applicants are mistaken, and a first Office action on the merits was mailed on or before the certified date of mailing indicated below, then Applicants request that this Information Disclosure Statement be treated as a submission under 37 C.F.R. § 1.97(c) and that the fee due under 37 C.F.R. § 1.17(p) be charged to Deposit Account No. 07-0835 in the name of Gen-Probe Incorporated.

Applicants respectfully request that the Examiner indicate consideration of each cited reference by returning a copy of the enclosed form PTO/SB/08 with the Examiner's initials or other





Serial No. 09/973,862 Atty. Docket No. GP095-06.DV4

### **Certificate of Mailing**

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Respectfully Submitted,

Date: August 19, 2004

By:

Charles B. Cappellari Registration No. 40,937 Attorney for Applicants

GEN-PROBE INCORPORATED Patent Department 10210 Genetic Center Drive San Diego, California 92121

PH: (858) 410-8927 FAX: (858) 410-8928 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

INFORMATION

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

oot 1 of 1

	Cor	nplete if Known	
Application Number Filing Date		09/973,862	
		October 11, 2001	
	First Named Inventor	Kelly G. Ammann	
	Art Unit	1634	
	Examiner Name	Lu, F.	
	Attorney Docket Number	GP095-06.DV4	

				DOCUMENTS	
Examiner Initials*	Cite No. <sup>1</sup>	Document Number  Number-Kind Code <sup>2 (# known)</sup>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US- 5,089,233	02-18-1992	DeVaney, Jr., et al.	
	<del> </del> -	US- 5,154,888	10-13-1992	Zander et al.	
		US- 5,229,297	07-20-1993	Schnipelsky et al.	
	1	<sup>US-</sup> 5,288,463	02-22-1994	Chemelli	
	1	<sup>US-</sup> 5,374,395	12-20-1994	Robinson et al.	
		US- 5,422,271	06-06-1995	Chen et al.	
		<sup>US-</sup> 5,460,780	10-24-1995	Devaney, Jr., et al.	
		US- 5,538,849	07-23-1996	Uematsu et al.	
		<sup>US-</sup> 5,578,270	11-26-1996	Reichler et al.	
		<sup>US-</sup> 5,714,380	02-03-1998	Neri et al.	
		<sup>US-</sup> 6,043,880	03-28-2000	Andrews et al.	
		<sup>US-</sup> 6,103,193	08-15-2000	Iwahashi et al.	·
		<sup>US-</sup> 6,586,234 B1	07-01-2003	Burg et al.	
		<sup>US-</sup> 2002/0031446 A1	03-14-2002	Friedlander et al.	
		us- 2002/0086417 A1	07-04-2002	Chen	• •
		US-			

Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	
muais	NO.	Country Code <sup>3</sup> "Number <sup>4</sup> "Kind Code <sup>5</sup> (if known)	MM-DD-YYYY	Applicant of Cited Document	Or Relevant Figures Appear	Τ'
		EP 0 640 828 B1	05-10-2000	F. Hoffmann-La Roche AG		
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						L
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Examiner	Date	
Signature	Considered	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

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